

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51189 of 2024

Arising Out of PS. Case No.-677 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Bipul Kumar Son of Pramod Sah Village- Ward No. 25, Baghi, Ps- Lohiya
Nagar Op, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 19-07-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks anticipatory bail, apprehending his arrest, in connection with Begusarai Town P.S. Case No. 677 of 2021, registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case as emerging from the FIR is that on 04.11.2021 there was altercation taken place between the informant's son and FIR named accused persons. Later on, the informant's son was shot dead by the accused.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the Petitioner was not named in the



First Information Report and his name transpired in the confessional statement of co-accused Ankit Kumar @ Ankit Chauhan @ Vikky. He further submits that other co-accused person, namely, Krishna Murari, Balram Paswan and Ankit Kumar have already been enlarged on regular bail by this Court vide order dated 02.02.2023 passed in Cr. Misc. No. 35164 of 2022 and its batch cases. He further submit that investigation in this case is complete and charge-sheet has already been submitted.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, this petition is allowed, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 677 of 2021, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

S.Ali/ravishankar

(Jitendra Kumar, J)

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